

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 1:18CR00131
	)	
Plaintiff,	)	
	)	JUDGE JOHN R. ADAMS
-v-	)	
	)	UNITED STATES OF AMERICA'S
DAVID M. RICHARDS	)	MOTION FOR LEAVE TO FILE
	)	SENTENCING MEMORANDUM
Defendant.	)	UNDER SEAL

Now comes the United States of America, by its counsel, Justin E. Herdman, United States Attorney, and Assistant U.S. Attorney Carol M. Skutnik, and moves this Court for an order authorizing the Government to file their sentencing memorandum under seal for the reasons contained in the attached memorandum.

Respectfully submitted,

JUSTIN E. HERDMAN  
United States Attorney

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### **MEMORANDUM**

On May 22, 2018, David Richards pleaded guilty to Receipt of Visual Depictions of Real Minors Engaged in Sexually Explicit Conduct, in violation of 18 U.S.C. §2252(a)(2). The Court scheduled a sentencing hearing for September 5, 2018. On August 29, 2018, Richards filed a sentencing memorandum under seal addressing, in large part, Richards' history and characteristics. The Government seeks the ability to freely discuss the nature and circumstances of Richards' current and prior criminal offenses. In addition, the Government seeks to respond to material addressed in the Defendant's sealed Memorandum. Therefore, the United States respectfully requests permission to file their sentencing memorandum under seal to avoid public dissemination of sensitive case information.

### **CONCLUSION**

For the foregoing reasons, the United States of America respectfully requests this Court issue an order permitting the government to file their sentencing memorandum under seal.

Respectfully submitted,  
JUSTIN E. HERDMAN  
United States Attorney

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CERTIFICATE OF SERVICE

I certify that on August 30, 2018, copy of the foregoing United States of America's Motion for Leave to File Sentencing Memorandum Under Seal was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

/s/Carol M. Skutnik  
Assistant U. S. Attorney